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Chapter 7

ENVIRONMENTAL ASSESSMENTS

7.1 ENVIRONMENTAL ASSESSMENT COMPLIANCE PROCEDURES

When the significance of impacts of a transportation project is uncertain, or when preliminary research and surveys reveal that no significant impacts will occur as a result of the project, an Environmental Assessment (EA) is prepared. Preparation of an EA will result in one of the following:

1. Finding of No Significant Impact. If processing of the EA results in the determination that the project does not involve significant impacts, a “Finding of No Significant Impact” (FONSI) will be prepared as the *National Environmental Policy Act* (NEPA) decision document for the project.
2. Finding that Significant Impacts Will Occur. If, during the EA process, it is determined that the project will have significant impacts, the Environmental Services Division will coordinate the finding with the FHWA and will initiate the preparation of an Environmental Impact Statement (EIS) (see [Chapter 8](#)).

An EA is intended to be a concise public document that serves to:

- provide sufficient evidence and analysis for determining whether to prepare an EIS or a FONSI,
- comply with NEPA when no EIS is necessary, and
- facilitate the preparation of an EIS, if required.

If the FHWA is not the lead Federal agency for the project, different procedures apply, based on the NEPA requirements of that agency (e.g., Bureau of Land Management).

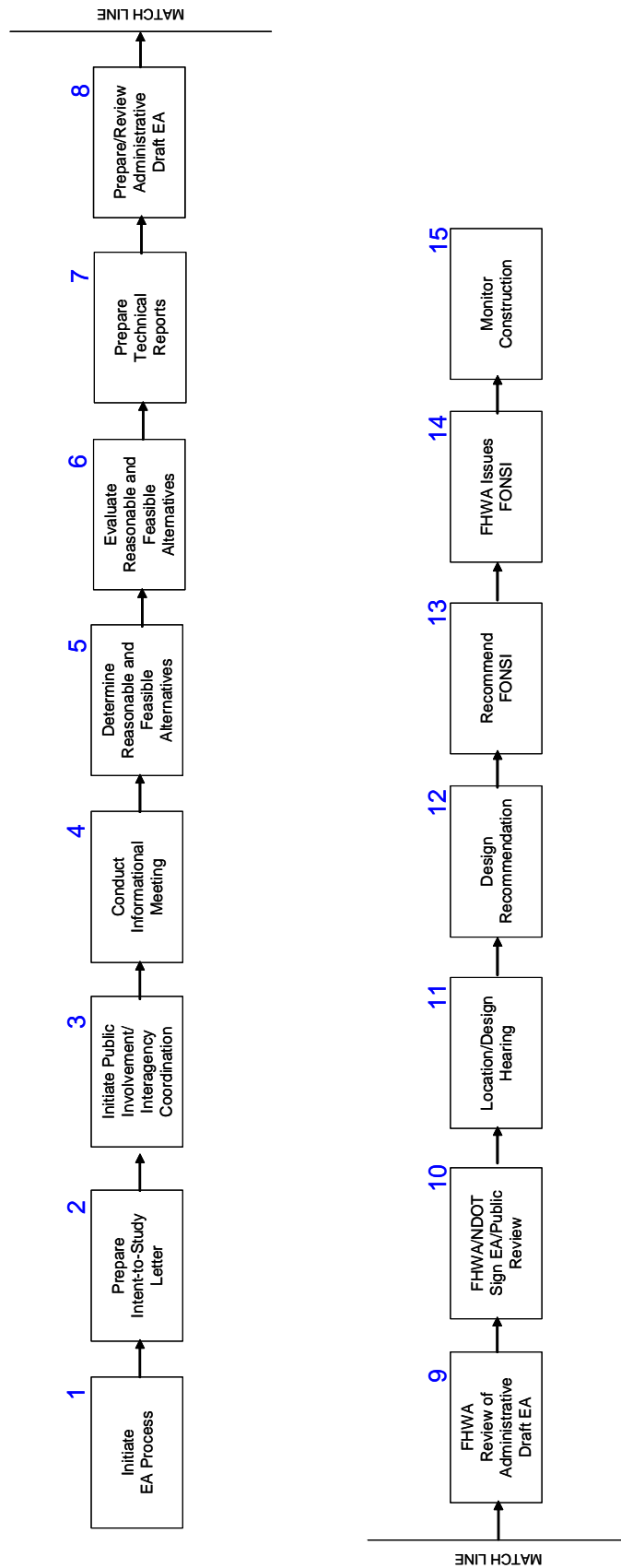


Figure 7.1-A— EA COMPLIANCE PROCEDURES

PROJECT ACTIVITY

Activity Title: Initiate EA Process

Activity No.: 1

Activity Description:

After receiving preliminary concurrence from the FHWA in the decision to prepare an EA for a project, the Environmental Services Division will initiate the EA process by compiling the pertinent information from the data gathering and field review activities that provided the basis for the preliminary determination of impacts (see [Activity 5](#) and [Activity 6](#) in [Section 5.1](#)). The information will be organized by environmental impact issue areas and will be reviewed for completeness.

The information will address the following potential impact areas, as applicable:

- socio-economic considerations,
- environmental justice,
- air quality,
- noise,
- hazardous materials/waste,
- floodplain and hydrologic assessment,
- water quality,
- biological resources,
- cultural resources,
- Section 4(f),
- cumulative and secondary impact issues,
- Native American concerns, and
- land use.

The Environmental Services Division will coordinate with the Project Management Team, regulatory and resource agencies and the public in evaluating and refining preliminary project alternatives based on consideration of the data gathering and field review information, and the following:

- the Purpose and Need Statement for the project,
- community and agency concerns,
- logical termini and independent utility,
- cost constraints,
- alternate modes of transportation, and
- the no-build alternative.

Regulations and Guidance

FHWA/FTA SAFETEA-LU Environmental Review Process Final Guidance

PROJECT ACTIVITY

Activity Title: Prepare Intent-to-Study Letter

Activity No.: 2

Activity Description:

The Environmental Services Division will prepare an Intent-to-Study Letter and forward it to the appropriate Federal and State agencies (including regulatory and resource agencies), local governments, public organizations, recognized special interest groups, adjacent property owners and known concerned/affected citizens that may have an interest in the proposed project. An Intent-to-Study Letter is a letter describing the preliminary concept of the project, the details of the scheduled informational meeting and a request for comments. The Letter will include the following:

- project location,
- project description,
- list of potential impacts,
- response timeline,
- name and address of point of contact at the NDOT, and
- the date and location of the informational meeting.

A location map or sketch of the project area will accompany the letter.

See [Figure 7.1-B](#) for a sample of an Intent-to-Study Letter.

Regulations and Guidance

FHWA/FTA SAFETEA-LU Environmental Review Process Final Guidance

March 27, 2001

See Attached List

Intent-to-Study
US 95, Clark County
EA 72498

The Nevada Department of Transportation (NDOT), in cooperation with the Federal Highway Administration (FHWA) and Clark County, is proposing to widen and upgrade US 95 to four travel lanes from the southern limits of Searchlight to approximately nineteen miles north.

The proposed project will improve safety and provide the needed capacity for current and future traffic needs.

In compliance with the *National Environmental Policy Act of 1969* (NEPA), NDOT is conducting an Environmental Assessment of the proposed project's impacts. This letter is intended to inform you of the current study and solicit your comments concerning the project. Areas of potential impact could include, but are not limited to, the following:

- | | |
|-----------------------|-------------------------------------|
| 1. Access | 9. Property Values |
| 2. Aesthetics | 10. Public Parks & Recreation Areas |
| 3. Air Quality | 11. Safety |
| 4. Archaeological | 12. Social Considerations |
| 5. Geology | 13. Biological Resources |
| 6. Historic Buildings | 14. Water Quality and Hydrology |
| 7. Land Use | 15. Wildlife and Wildlife Refuges |
| 8. Noise Levels | 16. Hazardous Materials/Waste |

We would appreciate receiving any response you have by 5:00 p.m., Friday, May 4, 2001. If no response is received, the Department will assume you foresee no significant impacts in your particular area of responsibility or interest.

An information Meeting to brief interested individuals, groups and agencies on the project and to receive comments and suggestions from them will be held on Wednesday, April 18, 2001 from 4:00 p.m. to 7:00 p.m. at the Searchlight Community Center, 200 Michael Wendell Way, Searchlight, Nevada. A copy of the meeting notice is attached.

Comments or questions regarding the proposed project may be addressed to Daryl James, P.E., Chief, Environmental Services Division, Nevada Department of Transportation, 1263 South Stewart Street, Carson City, Nevada 89712, telephone (775) 888-7013.

Sincerely,

Daryl N. James, P.E., Chief
Environmental Services Division

DNJ:MDN:hn
Attachment

Figure 7.1-B — SAMPLE INTENT-TO-STUDY LETTER

PROJECT ACTIVITY

Activity Title: Initiate Public Involvement/Interagency Coordination

Activity No.: 3

Activity Description:

1. Public Involvement. In addition to the Intent-to-Study Letter, the Environmental Services Division will notify affected parties by placing advertisements in the local adjudicated and Spanish newspapers regarding informational meetings, public hearings and other public involvement activities. The Environmental Services Division will work collaboratively with the NDOT Hearings and Special Projects Officer. For further information on the NDOT's public involvement procedures, see [Chapter 9](#).
2. Interagency Coordination. The NDOT Environmental Services Division will actively involve Federal, State and local partners in the transportation and environmental communities in an open, cooperative and collaborative process, beginning at the earliest planning stages and continuing through project development, construction and maintenance. The following agencies typically are included in project coordination activities:
 - Federal Highway Administration,
 - US Environmental Protection Agency,
 - Bureau of Land Management,
 - Bureau of Reclamation,
 - National Park Service,
 - Bureau of Indian Affairs,
 - US Geological Survey,
 - US Army Corps of Engineers,
 - US Fish and Wildlife Service,
 - US Department of Energy,
 - US Department of Health and Human Services,
 - USDA, Natural Resources Conservation Service,
 - Nevada Department of Administration, State Clearinghouse,
 - air quality districts,
 - cities and counties,
 - Native American Tribes,
 - Metropolitan Planning Organizations, and
 - Regional Transportation Commissions.

Regulations and Guidance

FHWA/FTA SAFETEA-LU Environmental Review Process Final Guidance

PROJECT ACTIVITY

Activity Title: Conduct Informational Meeting

Activity No.: 4

Activity Description:

The Environmental Services Division, in cooperation with the FHWA Division Office and other NDOT Divisions, will hold an Informational Meeting to inform the public of the project and elicit their input. Information presented at the meeting will include items such as:

- project location,
- project description,
- reason(s) for project initiation,
- alternatives under study and their environmental impacts,
- tentative project schedule, and
- an explanation of the information or input requested from the public.

See [Chapter 9](#) for additional information on NDOT public involvement procedures.

Regulations and Guidance

[NDOT Policy for Public Involvement/Public Hearing Procedures](#)

PROJECT ACTIVITY

Activity Title: Determine Reasonable and Feasible Alternatives

Activity No.: 5

Activity Description:

After the Project Management Team, in conjunction with Environmental Services Division, has completed the evaluation and refinement of preliminary alternatives, they will reduce the number of alternatives to those preliminarily determined to be reasonable and feasible and representative of the spectrum of alternatives that satisfy the project purpose and need. The NDOT and the FHWA will afford regulatory and resource agencies and the public an opportunity to provide input on the determination of the range of reasonable and feasible alternatives.

The determination of the reasonable and feasible alternatives is an evolutionary process that includes the following steps:

- perform an evaluation of the potential impacts of each of the preliminary alternatives,
- incorporate input from agencies and/or public involvement activities,
- estimate the overall reasonableness and feasibility of each alternative,
- ensure that each reasonable and feasible alternative satisfies the project purpose and need,
- identify the reasonable and feasible alternatives, and
- document in the project file the reason or reasons why an alternative has been eliminated.

Regulations and Guidance

FHWA/FTA SAFETEA-LU Environmental Review Process Final Guidance

PROJECT ACTIVITY

Activity Title: Evaluate Reasonable and Feasible Alternatives

Activity No.: 6

Activity Description:

The Environmental Services Division will work with the project designers and other members of the Project Management Team, the regulatory and resource agencies and the public in conducting an evaluation of the reasonable and feasible alternatives, based on the results of public involvement, interagency coordination and evaluation of the information from the data gathering and field review activities. This evaluation will focus on providing a clear basis for selecting the alternatives that will be advanced for study in the EA.

The evaluation will include environmental, social, economic, right-of-way and engineering analyses of each reasonable and feasible alternative. The level of design effort for each alternative will allow the Project Management Team to apply evaluation criteria to select alternative(s).

Based on the results of the evaluation of the reasonable and feasible alternatives, the Project Management Team will select the alternatives that will be studied in the EA. At least one build alternative and the no-build alternative will be addressed in the environmental document. Reasonable and feasible alternatives that were dismissed will be documented in the EA, with an explanation of the reasons why they were eliminated.

Regulations and Guidance

FHWA/FTA SAFETEA-LU Environmental Review Process Final Guidance

PROJECT ACTIVITY

Activity Title: Prepare Technical Reports

Activity No.: 7

Activity Description:

For each reasonable and feasible alternative selected for study in the EA, the Environmental Services Division, in cooperation with the Project Management Team, will conduct in-depth analyses to more clearly define potential environmental and other impacts of each alternative. The analyses may include any or all of the following:

- capacity analysis;
- intersection design studies;
- interchange type and design studies;
- Section 106 compliance issues;
- Section 4(f) compliance issues;
- socio-economic and environmental justice impacts;
- wetlands/Waters of the US involvement/impacts;
- storm water management;
- floodplain and hydrology assessment;
- threatened or endangered species impacts;
- Native American issues;
- *Migratory Bird Treaty Act* compliance issues;
- invasive species/noxious weeds issues;
- material sites;
- air quality impacts;
- noise impacts;
- hazardous materials/waste involvement;
- staging areas;
- utility corridors;
- construction easements; and
- other issues, as applicable (e.g., Section 6(f), impaired waters/TMDLs, Wild and Scenic Rivers, temporary work in waterways discharge permit, farmland protection).

For environmental issues involved with the selected reasonable and feasible alternatives, the Environmental Services Division will prepare Technical Reports and/or preliminary compliance documentation to provide details on the specific environmental issues and impacts involved. The Technical Reports and/or preliminary compliance documentation will address requirements for resource avoidance and impact minimization and mitigation. The Environmental Services Division will coordinate the Technical Reports and compliance documentation with appropriate regulatory and resource agencies and will document the results of the coordination so they may be summarized in the EA.

For detailed information on the environmental studies performed by the Environmental Services Division, see [Part III “Environmental Studies”](#) of this *Manual*.

PROJECT ACTIVITY

Activity Title: Prepare and Review Administrative Draft EA

Activity No.: 8

Activity Description:

The Environmental Services Division will use the following to prepare an Administrative Draft EA:

- preliminary engineering information,
- the environmental Technical Reports and preliminary compliance documentation, and
- the results of coordination with regulatory and resource agencies and the public.

The Administrative Draft EA will include the following components:

- cover;
- title/approval page;
- table of contents;
- glossary of acronyms and abbreviations;
- summary of mitigation measures, including contractor responsibilities;
- description of proposed project, including project location map and typical section;
- description of project purpose and need;
- description of alternatives eliminated and why;
- description of alternatives, including an indication of the preferred alternative, as appropriate;
- description of environmental impacts and mitigation, including the following, as applicable:
 - + biological resources,
 - + water quality,
 - + floodplain and hydrologic assessment,
 - + air quality,
 - + noise,
 - + hazardous materials/waste,
 - + social-economic considerations,
 - + environmental justice,
 - + cultural resources,
 - + cumulative and secondary impacts, and
 - + Native American concerns;
- results of agency coordination and public involvement;

PROJECT ACTIVITY

Activity Title: Prepare and Review Administrative Draft EA
(Continued)

Activity No.: 8

Activity Description:

- appendices (i.e., Intent-to-Study Letter and distribution list, Comments and Responses, Procedures for Abatement of Highway Traffic Noise and Construction Noise); and
- Section 4(f) Evaluation, if applicable.

The Environmental Services Division will review the Administrative Draft EA and will distribute the document to the NDOT Divisions (e.g., road design, bridge design, right-of-way) for review and comment. The Environmental Services Division will incorporate necessary changes to respond to comments received as a result of the review within the NDOT.

Regulations and Guidance

FHWA Environmental Guidebook

FHWA Technical Advisory T6640.8A

AASHTO SCOE Synthesis of Data Needs for EA and EIS Documentation — A Blueprint for NEPA Document Content, January 2005

PROJECT ACTIVITY

Activity Title: FHWA Review of Administrative Draft EA

Activity No.: 9

Activity Description:

The Administrative Draft EA will be submitted to the FHWA Division Office for review and comment.

The Environmental Services Division will incorporate changes in the Administrative Draft EA as necessary to respond to comments received from the FHWA Division Office.

PROJECT ACTIVITY

Activity Title: Sign EA and Make Available for Public Review

Activity No.: 10

Activity Description:

The Chief of the Environmental Services Division and the FHWA Division Office Environmental Program Manager will sign the EA. After the EA is signed, it will be circulated for comment, made available for public inspection at the NDOT headquarters, at the appropriate NDOT District Office and at the FHWA Division Office. In addition, the Transportation Notice will be prepared and the Location/Design Hearing will be scheduled.

The document will be circulated to affected units of Federal, State and local government, the public and to the Nevada Department of Administration, State Clearinghouse.

Comments on the EA will be submitted in writing to the NDOT or the FHWA within 30 days of the availability of the EA unless the FHWA determines, for good cause, that a different period is warranted. The EA will be available for a minimum of 15 days prior to and after the Location/Design hearing. The notice of the public hearing in local newspapers will announce the Location/Design Hearing and where the EA may be obtained or reviewed.

Regulations and Guidance

[23 CFR 771.119 "Environmental assessments"](#)

PROJECT ACTIVITY

Activity Title: Location/Design Hearing

Activity No.: 11

Activity Description:

The Environmental Services Division, in cooperation with the NDOT Special Projects/Hearings Officer and the FHWA Division Office, will hold a Location/Design hearing.

See [Chapter 9](#) for descriptions of public hearing types and other aspects of the NDOT public involvement procedures.

Regulations and Guidance

[23 CFR 771.111\(h\) "Early coordination, public involvement and project development"](#)
[NDOT Policy for Public Involvement/Public Hearing Procedures](#)

PROJECT ACTIVITY

Activity Title: Design Recommendation

Activity No.: 12

Activity Description:

The Environmental Services Division, in cooperation with the Project Management Team, will evaluate:

- project impacts;
- engineering and other constraints; and
- comments received, including those obtained through public involvement activities and interagency coordination.

Based on the above evaluation, the Roadway Design Division, in cooperation with the Project Management Team, including the Environmental Services Division, prepares the Design Recommendation. The Design Recommendation will include responses to substantive comments on the EA and will describe the preferred alternative.

Regulations and Guidance

FHWA/FTA SAFETEA-LU Environmental Review Process Final Guidance

PROJECT ACTIVITY

Activity Title: Recommend FONSI

Activity No.: 13

Activity Description:

If the NDOT determines that the recommended preferred alternative has no significant impacts, the Environmental Services Division will prepare a recommendation for a FONSI. This recommendation is signed by the Chief of the Environmental Services Division and forwarded to the FHWA with a copy of the EA, the list of mitigation measures, the Location/Design Hearing transcript and the Design Recommendation.

When issuance of a FONSI by the FHWA is expected, the EA will be made available for review. See [Chapter 9](#) for details on the NDOT public involvement procedures.

Regulations and Guidance

[23 CFR 771.119 "Environmental assessments"](#)

FHWA/FTA SAFETEA-LU Environmental Review Process Final Guidance

PROJECT ACTIVITY

Activity Title: FHWA Issues FONSI

Activity No.: 14

Activity Description:

If the FHWA concurs with the NDOT's recommendation, it will prepare a separate, written FONSI, incorporating by reference the EA and appropriate environmental documentation.

After the FHWA has issued the FONSI, the Environmental Services Division will prepare a Notice of Availability of the FONSI and place advertisements in the local adjudicated newspaper. The Notice of Availability will also be forwarded to the affected units of Federal, State and local government. See [Figure 7.1-C](#) for a sample Notice of Availability. The FONSI will be available from the NDOT and the FHWA Division Office upon request.

See [Section 2.3 "Preparing an Administrative Record"](#).

Regulations and Guidance

[23 CFR 771.121 "Findings of no significant impact"](#)
FHWA/FTA SAFETEA-LU Environmental Review Process Final Guidance

Transportation Notice

Project Approval

All interested persons are hereby advised that the Director, Nevada Department of Transportation (NDOT), Carson City, Nevada has approved a Location/Design Recommendation to reconstruct and widen approximately one mile of Sparks Boulevard between Shadow Lane and Disc Drive in Sparks, Nevada. The Nevada Division Administrator, Federal Highway Administration, Carson City, Nevada on November 9, 2004 approved a Finding of No Significant Impact (FONSI) with respect to the Environmental Assessment (EA) of the projects impacts.

The project will reconstruct approximately one mile of Sparks Boulevard between Shadow Lane and Disc Drive from a two-lane configuration to a four-lane design. It will include raised medians for safety, high "T" acceleration lanes at the intersections of Vintage Hills Parkway and Whitney Circle, curb and gutter on both sides of the project limits, a storm drain system, a sidewalk on the east side of Sparks Boulevard, fencing and a ten-foot shared use path on the west side of the project limits.

Additional information about the project and copies of the EA are available for inspection and/or photocopying at the NDOT District Office at 310 Galletti Way, Sparks, Nevada (775/834-8300) and NDOT Headquarters, Environmental Services Division, 1263 S. Stewart Street, Carson City, Nevada (775/888-7013).

Figure 7.1-C — SAMPLE NOTICE OF AVAILABILITY FOR A FONSI

PROJECT ACTIVITY

Activity Title: Monitor Construction

Activity No.: 15

Activity Description:

During the implementation phase of the project, the Environmental Services Division will monitor construction activities to ensure the contractor complies with the Construction Contract Documents, especially those concerning:

- permit obligations,
- environmental commitments, and
- environmental mitigation measures.

Representatives of the Environmental Services Division will attend preconstruction conferences for projects involving permit obligations, environmental commitments or environmental mitigation measures.

See [Section 2.4](#) for additional information on environmental commitments/permit obligations, including a sample Environmental Commitment Checklist.

Regulations and Guidance

FHWA/FTA SAFETEA-LU Environmental Review Process Final Guidance
AASHTO Practitioner's Handbook 04 Tracking Compliance with Environmental
Commitments/Use of Environmental Monitors

7.2 RE-EVALUATIONS

The regulations and guidance cited below describe the triggers (e.g., timeframes) for re-evaluating NEPA documents and approvals:

1. [23 CFR 771.129 "Re-evaluations"](#)
2. [FHWA Environmental Guidebook](#)
3. [FHWA Technical Advisory T6640.8A](#)

